<u>ॲड.श्री.मोहम्मद तलय मसूद सिध्दीकी,</u>
<u>विशेष सरकारी अभियोक्ता यांना</u>
<u>व्यावसायिक फी मंजूर करण्याबाबत.</u>
मा.कोलकाता उच्च न्यायालय,पश्चिम बंगाल येथील WP No.२८४९७/२०१७ या प्रकरणी न्यायालयीन कामकाज पाहण्यासाठी.

महाराष्ट्र शासन

गृह विभाग

शासन निर्णय क्रमांकः एसपीपी-०३१८/प्र.क्र.९४/पोल-१०

२ रा मजला, मंत्रालय, हुतात्मा राजुगुरु चौक
मादाम कामा रोड, मुंबई-४०० ०३२.
दिनांक: १९ नोव्हेंबर, २०१८

<u>संदर्भ:-</u> १)पोलीस आयुक्त,बृहन्मुंबई यांचे जा.क्र.१३०/पोआ/सहपोआ/कावसु/२०१८, दि.०३/०३/२०१८ चे पत्र.

२) पोलीस उप आयुक्त,परिमंडळ-४,मुंबई यांचे पत्र ओ.डब्ल्यु. क्र. १५३३/ डीसीपी/ झेड-४/आर/१७,दि.०१/१२/२०१७.

३) विधि व न्याय विभाग, पश्चिम बंगाल शासन, अधिसूचना No.WB (Part-I)/ २०१५/SAR-१७४, दि.०५/०५/२०१५

<u>शासन निर्णय:-</u>

मा.कोलकाता उच्च न्यायालय,पश्चिम बंगाल येथील रिट पिटीशन क्र.२८४९७/२०१७ मध्ये मुंबई पोलीसांची बाजू मांडण्यासाठी संदर्भ क्र.२ येथील पत्रान्वये पोलीस उप आयुक्त,परिमंडळ-४,मुंबई यांनी कोलकाता येथील Legal Remembrancer, Govt. of West Bengal, Kolkata यांना केलेल्या विनंतीनुसार ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी यांची मुंबई पोलीसांच्या वतीने बाजू मांडण्याकरीता नेमणूक करण्यात आलेली आहे. सदर रिट पिटीशन मध्ये ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी यांनी दि.०१/१२/२०१७, दि.०४/१२/२०१७ व दि.१२/१२/२०१७ या तीन तारखांच्या सुनावणीत मुंबई पोलीसांच्या वतीने मा.कोलकाता उच्च न्यायालय येथे कामकाज पाहिलेले आहे. ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी यांनी मा.कोलकाता उच्च न्यायालय येथे केलेल्या युक्तीवादाच्या अनुषंगाने त्यांच्या नियुक्तीस व त्यांच्या सदर प्रकरणातील व्यावसायिक फी च्या दरास या शासन निर्णयान्वये मान्यता देण्यात येत आहे.

२. ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी, वरिष्ठ सरकारी वकील, मा.कोलकाता उच्च न्यायालय यांना सदर प्रकरणी विधि व न्याय विभाग, पश्चिम बंगाल शासन यांच्या No.WB (Part-I)/२०१५/SAR-१७४, दि.०५/०५/२०१५ च्या अधिसूचनेमधील विहित केलेल्या दराने फी अदा करण्यात यावी. (अधिसूचना सोबत जोडण्यात आली आहे)

परिणामकारक सुनावणीचे दिवस संबंधीत प्रकरणाच्या पर्यवेक्षीय पोलीस उपायुक्त दर्जाहून कमी नाही, अशा अधिकाऱ्याकडून प्रमाणित करुन घेण्यात यावेत व कोणत्याही प्रकारचे अतिरिक्त प्रदान होणार नाही,याची दक्षता घ्यावी. तसेच, प्रस्तुत प्रकरणी ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी यांना अपरिणामकारक सुनावणी फी किंवा अन्य कोणत्याही प्रकारची फी वा भत्ता अनुज्ञेय असणार नाही.

३. यासाठी येणारा खर्च या विभागाच्या मागणी क्र.बी-१, २०५५ पोलीस - (००) (१०८), राज्य मुख्यालय पोलीस (०२) (०१), शहर पोलीस आस्थापना (२०५५ ००९७) -२८ व्यावसायिक सेवा, या लेखाशीर्षाखालील त्या त्या आर्थिक वर्षाच्या मंजूर अनुदानातून व मासिक निधी विवरणपत्रानुसार भागविण्यात येईल.

४. हा शासन निर्णय वित्त विभागाच्या शासन निर्णय क्र.विअप्र - २०१५/ प्र.क्र.२१/ २०१५/ विनियम, दि.२९ जुलै,२०१५ अन्वये, वित्तीय अधिकार नियम नियम पुस्तिका - १९७८, भाग-पहिला, उपविभाग-दोन मध्ये नव्याने समावेश केलेल्या अ.क्र.४९ नियम क्र. १६६-अ अन्वये प्रदान केलेल्या अधिकारानुसार विधि व न्याय विभागाच्या अनौपचारिक संदर्भ क्र. ७९/क्रिमिनल जनरल/२०१७/ए-ब्रँन्च, दिनांक २९ एप्रील, २०१७ अन्वये निर्गमित करण्यात येत आहे.

५. सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संगणक संकेताक क्र. २०१८१११९१४५७०५८२२९ असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

Kishor Shyamrao Bhalerao

Digitally signed by Kishor Shyamrao Bhalerao
DN: CN = Kishor Shyamrao Bhalerao, C = IN, S = Maharashtra, O = Government Of Maharashtra, OU = Home Department
Date: 2018.11.19 15:30:43 +05'30'

(किशोर शामराव भालेराव)
उप सचिव (विधि),गृह विभाग,महाराष्ट्र शासन

प्रत,

१. पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई.
२. पोलीस आयुक्त,बृहन्मुंबई.
३. महालेखापाल (लेखा व अनुज्ञेयता/लेखापरीक्षा)-१/२,महाराष्ट्र राज्य,मुंबई/नागपूर.
४. अधिदान व लेखा अधिकारी,मुंबई.
५. निवासी लेखापरीक्षा अधिकारी,मुंबई.
६. विधि व न्याय विभाग (ए-ब्रँच), मंत्रालय, मुंबई.
७. ॲड.श्री.मोहम्मद तलय मसूद सिध्दिकी, वरिष्ठ सरकारी वकील, मा.कोलकाता उच्च न्यायालय,पश्चिम बंगाल-७०००१७.
८. निवडनस्ती (पोल-१०).

Registered No. WB/SC-247 No. WB(Part-I)/2015/SAR-174

The Kolkata Gazette

सत्यमेव जयते

Extraordinary

Published by Authority

VAISAKHA 15] TUESDAY, MAY 5, 2015 [SAKA 1937

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

JUDICIAL DEPARTMENT

WRITERS' BUILDINGS

KOLKATA-700 001.

NOTIFICATION

No. 1915/JD/III/2F-01/14.– Kolkata, the 5th May, 2015.— In Supersession of Notification No. 139/JD/III/2F-01/14 dated 8th January, 2015, published in an Extraordinary issue of the Kolkata Gazette dated 09th January, 2015, the Governor is pleased hereby to revise the Retainer Fees and daily rate of fees of the Lawyers of the State Panel and Retained Law Officers of the High Court, Calcutta along with their Annual Ceiling of fees as per Statement [ANNEXURE-A] appended hereto.

This Notification is issued with the concurrence of the Finance Department vide their U.O No. Group P2/2014-[illegible] dated 05.12.2014 read with U.O No. Group P2/2015-2016/0011 dated 10.04.2015.

This Notification will take effect from 08.01.2015.

By order of the Governor,

S. GHOSH

Secretary to the Government of West Bengal.

922/15

STATEMENT SHOWING EXISTING AND REVISED RETAINER FEES AND RATE OF DAILY FEES IN RESPECT OF LD. ADVOCATE GENERAL, STANDING COUNSEL, GOVERNMENT PLEADER, PUBLIC PROSECUTOR AND OTHER LAW OFFICERS AND PANEL LAWYERS [IN CIVIL AND CRIMINAL MATTERS] OF THE HIGH COURT, CALCUTTA

Designation	Existing Retainer Fees (Rs.)	Revised Retainer Fees (Rs.)	Existing Annual Ceiling (Rs.)	Revised Annual Ceiling (Rs.)
Advocate General	20,000	22,000	No Limit	No Limit
Addl. Advocate General	15,000	16,500	No Limit	No Limit
Asstt. Addl. Advocate General	10,000	11,000	No Limit	No Limit
Sr. Standing Counsel	7,000	7,700	No Limit	No Limit
Government Pleader, Public Prosecutor, Advocate-on-Record	7,000	7,700	No Limit	No Limit
Addl. Govt. Pleader Addl. Public Prosecutor	6,000	6,600	No Limit	No Limit
Sr. Govt. Advocate	5,000	5,500	No Limit	No Limit
Jr. Standing Counsel	4,500	4,950	No Limit	No Limit
Jr. Govt. Pleader / Advocate	4,000	4,400	No Limit	No Limit
Addl. Advocate-on-Record by upgrading the post of Asst. AOR	6,000	6,600	No Limit	No Limit

S. GHOSH
Secretary
Judicial Department
Government of West Bengal.

ANNEXURE 'A'

OTHER FEES

Designation	Existing Consultation Fees (Rs.)	Revised Consultation Fees (Rs.)	Existing Fees for settling of draft (Rs.)	Revised Fees for settling of draft (Rs.)	Existing daily appearance Fees in all matters (Rs.)	Revised daily appearance Fees in all matters (Rs.)
Advocate General	1,700	1,870	5,100	5,610	20,400	22,440

Designation	Existing Consultation Fees (Rs.)	Revised Consultation Fees (Rs.)	Existing Fees for settling of draft (Rs.)	Revised Fees for settling of draft (Rs.)	Existing daily appearance Fees in appeals and suits (Rs.)	Revised daily appearance Fees in appeals and suits (Rs.)	Existing daily appearance Fees for Application and other proceeding except Applications for Restoration, Amendment. Substitution. Matters relating to interview. Electricity, Police inaction cases and where no relief is sought for against the State. (Rs.)	Revised daily appearance Fees for Application and other proceeding except Applications for Restoration, Amendment. Substitution. Matters relating to interview, Electricity, Police inaction cases (Rs.)	Existing daily appearance Fees for Applications for Restoration. Amendment. Substitution. Matters relating to interview., Electricity, Police inaction and where no relief is sought for against the State. (Rs.)	Revised daily appearance Fees for Applications for Restoration. Amendment. Substitution. Matters relating to interview., Electricity, and Police inaction cases (Rs.)
Additional Advocate General	1,000	1,100	1,700	1,870	6,000	6,600	5,100	5,610	3,400	3,740
Assistant Additional Advocate General	750	825	1,200	1,320	6,000	6,600	5,100	5,610	3,400	3,740
Sr. Standing Counsel	510	561	1,000	1,100	6,000	6,600	5,100	5,610	1,350	1,485
Govt. Pleader, Public [illegible], A.O.R. Addl. [illegible].P., Addl. P.P., [illegible] Govt. Advocate, Addl. A.O.R. [illegible] the post of Asstt. A.O.R.	510	561	1,000	1,100	6,000	6,600	5,100	5,610	1,350	1,485

N.B. : Fees are payable on effective hearing only.

ANNEXURE 'A'

Designation	Existing consulta-tion Fees (Rs.)	Revised consulta-tion Fees (Rs.)	Existing Fees for settlement of draft (Rs.)	Revised Fees for settlement of draft / drafting (Rs.)	Existing Fees for daily appea rance in suits and Appeals (Rs.)	Received Fees for daily appea rance in suits and Appeals (Rs.)	Existing Fees for application and other Proceed-ings except Application for Restora-tion, Amend-ment, Substitu-tion. Matters relating to interview, Electricity and Police inaction cases and where no relief is sought for against the State (Rs.)	Revised Fees for Application and other Proceed-ings except Application for Restora-tion, Amend-ment, Substitu-tion. Matters relating to interview, Electricity and Police inaction cases (Rs.)	Existing daily appearance Fees for Applications for Restora-tion, Amendment, Substitution. Matters relating to interview, Electricity and Police inaction cases and where no relief is sought for against the State (Rs.)	Revised daily appearance Fees for Applications for Restora-tion, Amendment, Substitution. Matters relating to interview, Electricity and Police inaction cases (Rs.)
Jr. Standing Counsel	340	374	600	660	5,100	5,610	4,250	4,675	850	935

Designation	Existing consulta-tion Fees (Rs.)	Revised consulta-tion Fees (Rs.)	Existing Fees for settlement of draft (Rs.)	Revised Fees for settlement of draft / drafting (Rs.)	Existing Fees for daily appea rance in suits and Appeals (Rs.)	Received Fees for daily appea rance in suits and Appeals (Rs.)	Existing Fees for application and other Proceed-ings except Application for Restora-tion, Amend-ment, Substitu-tion. Matters relating to interview, Electricity and Police inaction cases and where no relief is sought for against the State (Rs.)	Revised Fees for Application and other Proceed-ings except Application for Restora-tion, Amend-ment, Substitu-tion. Matters relating to interview, Electricity and Police inaction cases (Rs.)	Existing daily appearance Fees for Applications for Restora-tion, Amendment, Substitution. Matters relating to interview, Electricity and Police inaction cases and where no relief is sought for against the State (Rs.)	Revised daily appearance Fees for Applications for Restora-tion, Amendment, Substitution. Matters relating to interview, Electricity and Police inaction cases (Rs.)
Jr. Govt. Advocate	340	374	600	660	5,100	5,610	4,250	4,675	850	935

N.B. : Fees are payable on effective hearing only.

S. GHOSH
Secretary
Judicial Department
Government of West Bengal.

ANNEXURE 'A'

FEES OF DIFFERENT CATEGORIES OF PANEL LAWYERS

'A' Category – both Civil & Criminal:

Existing fees for settlement of draft (Rs.)	Revised fees for settlement of draft (Rs.)	Existing daily appearance fees for appeal and suit (Rs.)	Revised daily appearance fees for appeal and suit (Rs.)	Existing daily fees for Civil Rule, Motion Applications except Applications for Restoration, Amendment, Substitution, Matters relating to interview, Electricity, Police inaction and where no relief is sought for against the State (Rs.)	Revised daily fees for Civil Rule, Motion, Application except Applications for Restoration, Amendment, Substitution, Matters relating to interview, Electricity and Police inaction cases (Rs.)	Existing fees for Applications for Restoration, Amendment, Substitution, Matters relating to interview, Electricity, Police inaction and where no relief is sought for against the State. (Rs.)	Revised fees for Applications for Restoration, Amendment, Substitution, Matters relating to interview, Electricity and Police inaction cases (Rs.)	Existing Annual Ceiling (Rs)	Revised Annual Ceiling (Rs)
500	550	2500	2750	1700	1870	700	770	No limit	No limit

'B' Category – both Civil & Criminal:

Existing fees for drafting of Appeal/Applications etc. (Rs.)	Revised fees for drafting of Appeal/Applications etc. (Rs.)	Existing daily appearance fees for appeal and suit (Rs.)	Revised daily appearance fees for appeal (Rs.)	Existing daily fees for Civil Rule, Motion Applications except Applications for Restoration, Amendment, Substitution, Matters relating to interview, Electricity, Police inaction and where no relief is sought for against the State. (Rs.)	Revised daily fees for Civil Rule, Motion, Application except Applications for Restoration, Amendment. Substitution, Matters relating to interview. Electricity and Police inaction cases. (Rs.)	Existing fees for Applications for Restoration. Amendment. Substitution. Matters relating to interview. Electricity. Police inaction and where no relief is sought for against the State. (Rs.)	Revised fees for Applications for Restoration. Amendment. Substitution. Matters relating to interview, Electricity and Police inaction cases. (Rs.)	Existing Annual Ceiling (Rs)	Revised Annual Ceiling (Rs)
400	440	2000	2200	1500	1650	600	660	No limit	No limit

N.B. — Fees are payable on effective hearing only.

S. GHOSH
Secretary
Judicial Department
Government of West Bengal

'C' Category – both Civil & Criminal

Existing fee for drafting of Appeal/ Plaint, Written Statement etc.	Revised fee for drafting of Appeal/ plaint, written statement etc.	Existing fee for drafting of affidavit, stay petition and other applications	Revised fee for drafting of affidavit, stay petition and other applications	Existing fee for Appearing independently in Appeal- both Civil and Criminal	Revised fee for Appearing independently in Appeal both Civil and Criminal	Existing fee for Appearing independently in c/w Application on Motion except Applications for Restoration, Amendment, Substitution matters relating to interview, Electricity and Police inaction and where no relief is sought for against the State	Revised fees for Appearing independently in c/w Application on Motion except Applications for Restoration, Amendment Substitution matters relating to interview Electricity and Police inaction cases	Existing Annual Ceiling	Revised Annual Ceiling	Existing fees for Application for Restoration, Amendment, Substitution matters relating to interview, Electricity, Police inaction and where no relief is sought for against the State	Revised fees for Application for Restoration, Amendment, substitution matters relating to interview, Electricity, Police inaction cases
(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)	(Rs.)
300	330	300	330	1500	1650	1200	1320	No limit	No limit	400	440

N.B. : (1) In Bail and Anticipatory Bail and other related matters- not more than 2 daily appearance fees will be paid to any panel Advocates. Fees are payable on effective hearing only.

(2) Fees are not payable in following cases:- (a) Adjournment application; (b) Appearance in course of examination u/s 313 Cr.P.C; (c) When State is proforma defendant and no relief is sought for against the State; (d) Part heard evidence of witness. Presiding Officer in his own hand (Not by Bench Clerk) should certify that the evidence of witness is closed and not deferred; otherwise no bill can be paid.

(3) The Lawyers who will appear in police inaction cases will get bill.

S. GHOSH
Secretary
Judicial Department
Government of West Bengal.

Published by Judicial Department, West Bengal and printed at Saraswaty Press Ltd.
(Government of West Bengal Enterprise), Kolkata 700 056.